

Child Support

The costs of raising a child can best be met when shared by both parents. Child support laws are meant to ensure that both parents support their children financially. A court can require a parent to pay money to a child's other parent, guardian, or custodian to help cover the costs of raising the child through a child support order. A child support order may also require parents to provide health insurance or medical support for a child. Support orders also usually say which parent can claim the children as dependents for tax purposes.

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Getting Child Support

There are two ways to get a child support order in Ohio:

- (1) Contact your county Child Support Enforcement Agency ("CSEA"). The CSEA can also help you establish paternity. These are free services.
- (2) File a motion in Juvenile Court – this is for unmarried parents or married parents who are not living together. There is a filing fee, although the court will sometimes waive the fee if you show proof of very low income.

When you apply for child support, the CSEA or the Court must notify the other parent, usually by certified mail. Therefore, you must give the Clerk a current address for the other parent. If you do not have a home address for them, a work address will usually do. If you do not know any address for the other parent, you should contact friends and family who may have an address for him/her. The CSEA can search for the other parent's address in certain places, such as state tax rolls, but that takes time and they do not always find an address. If the child support papers cannot be served on the other parent, you will not be able to get a support order.

The CSEA or Court determines who pays child support and how much. The amount is calculated based on information from the parents' paystubs, W-2s, tax returns, and documentation about child care expenses, medical insurance costs, dependents, and ability to work. The CSEA or Court will use a formula set by state law to decide how much child support to order.

The order you receive from the CSEA or Court has instructions for what to do if you disagree with the decision on how much support you receive or pay. Read it carefully, since there are deadlines to "appeal" any decision.

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Enforcing a Child Support Order

If the person who owes child support doesn't pay, the person receiving child support can:

- **Contact their CSEA case worker:** The CSEA should take enforcement action once the paying parent falls one month behind in support payments. Contact your case worker if this happens. There are many actions you and your child support worker can take. Some actions are

mild, such as reporting to the Credit Bureau. Some actions are more serious, such as seizing the other parent's bank account. How serious the steps the CSEA will take will depend in part on the how much back child support is owed. Your child support worker can guide you through the process.

- **File a contempt motion with the court for failure to pay support:** You can file a contempt motion with the court for a parent's failure to pay support. If you need more information about contempt and how to file, contact Legal Aid and ask for our brochure called "Enforcing a Court Order."



Changing a Child Support Order

There are two ways to change a child support order. You can ask your local CSEA for help, or file in court. Information about both options is below.

Remember, the order cannot be changed unless there has been a change of circumstances. The change must be based on new events or circumstances that have happened since the last support order was made.

Changing a Child Support Order Through the CSEA (Child Support Enforcement Agency)

One way to change your child support order is to ask your local CSEA to review it. Ohio law entitles you to a review and adjustment of your support order if it has been 36 months or longer since the support order became effective or was last reviewed.

You must request the change in writing. Give specific information about what the change in circumstances is and why the support order should be changed. Send copies of your documentation to the CSEA with your request. You should send things like pay stubs, W-2s, tax returns, child care expenses, medical insurance costs, and disability or unemployment benefits statements. If you are not receiving disability but you cannot work, you will need detailed medical documentation explaining why you cannot work.

When you ask the CSEA to change the child support order, the CSEA has to gather information about each party's income before it can make the change. They will ask each party to provide the types of documentation described above. This process takes several months. Depending on what information is provided, the amount you pay may go up or down.

Here is a good website that talks about the CSEA and what they can do for you: <http://www.ohiolegalservices.org/> Click on "For the Public," then type "child support" in the search box. If you click on "Child Support Enforcement Agencies," it gives you a list of each county CSEA and its contact information. Some counties have very good websites that give you a lot of information. Here is the list of CSEA phone numbers in our area:

Brown County CSEA	(937) 378-6414 (800) 244-9833
Butler County CSEA	(513) 887-3362 (513) 424-5351 (Middletown) (800) 542-0806
Clermont County CSEA	(513) 732-7248 (800) 571-0943
Clinton County CSEA	(937) 382-5726 (800) 793-1290
Hamilton County CSEA	(513) 946-7387 (800) 860-2555
Highland County CSEA	(937) 393-4278 (800) 391-9631
Warren County CSEA	(513) 695-1580 (800) 644-2732
You can get more information about Child Support from the Ohio Department of Job and Family Services website at: https://jfs.ohio.gov/Ocs/	

Changing a Child Support Order through the Court

Another way to change your child support order is to file a motion in court. You may get the change faster by going through the court than by going through the CSEA. File your motion to change the child support in the same court where the last order was made.

When you go to court, tell the Judge what has changed since the last court order. Be specific. Bring documentation to show the judge. You should bring things like pay stubs, W-2's, tax returns, child care expenses, medical insurance costs, and how much you pay for child support for children with another parent. If you cannot work because of a medical or mental health problem, bring detailed medical documentation showing why you cannot work. You can bring witnesses to court if they have first-hand knowledge about the things that are important to your case.

This process takes several months. Depending on what information is provided, the amount you pay may go up or down. Read the decision you receive from the Court carefully. If you disagree with the decision, you will have only a short time to file "objections" or an "appeal." The decision should tell you how to object or appeal and how long you have to do it.

Medical Support

A medical support order is a part of a general child support order, which requires either one or both parents to provide health insurance for their child. This health insurance must be available to you or your spouse through an employer or other group health insurance plan. If the CSEA or Court decides the insurance available to you is reasonable in cost and accessible, you or your employer may be ordered to enroll your child in the insurance. The CSEA or Court will also decide who pays for medical costs that are not covered by health insurance.

If private health insurance is not available for the child, the parents may be required to pay cash medical support to help cover the costs of healthcare for the child. When there is a cash medical support order both parents are required to tell the CSEA right away if private health insurance becomes available. The amount parents are required to pay for cash medical support depends on the parent's income and may be \$0, if the parent's income is very low.

If the CSEA or Court determines that you are able to provide affordable and accessible private health insurance for your child, your employer may be required to enroll your child in health care coverage and deduct premiums from your paycheck. If you do not believe that you can afford health insurance for your child, you have the right to request a review and adjustment of your child support order from the CSEA. You may also file a Motion to Modify a Medical Support Order.

Stopping Child Support

In most cases, the duty to support a child only stops when your child reaches age 18 and is no longer a full-time student at an accredited high school. However, the duty to pay support may continue even after a child reaches the age of 18 or 19 if the child is disabled and still dependent. If you owe back child support (an arrearage) you will still have to pay even though your child is over 19. Usually, you continue paying the same amount you were paying before.

There are some situations in which the duty to pay child support may end before a child turns 18, such as if a child marries or joins the armed forces. The duty to pay child support may also change from one parent to the other if custody changes.

The law requires you to inform the CSEA of any of these circumstances. If you need to continue or end a child support order, start by contacting your CSEA worker. Your worker should be able to tell you whether they can help you or that you must go directly to the court.